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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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7 MARSHALL-ALAN GIDNEY,

8 Plaintiff

9 v.

10 CLARK COUNTY ELECTION
DEPARTMENT,

11 Defendant

Case No. 2:24-cv-02036-JAD-NJK

**ORDER ADOPTING REPORT
AND RECOMMENDATION AND
DISMISSING CASE**

ECF No. 10

12 On 12/5/24 the magistrate judge entered the following report and recommendation:
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14 Although Plaintiff paid the filing fee, *see* Docket No. 8, Plaintiff did not file a complaint
15 with his factual allegations, cause(s) of action, statement of jurisdiction, and relief sought, *but see*,
16 *e.g.*, Fed. R. Civ. P. 8(a).

17 On November 6, 2024, the Court ordered Plaintiff to file a complaint by November 20,
18 2024. Docket No. 9 at 1; *see also* Docket No. 5 at 2 (earlier order by United States District Judge
19 Jennifer A. Dorsey regarding the absence of a complaint). The Court warned that “[f]ailure to
20 file a complaint by this deadline may result in dismissal of this case.” Docket No. 9 at 1
21 (emphasis in original). To date, Plaintiff has not filed a complaint or otherwise responded to the
22 order. The case cannot proceed without the filing of a complaint.

23 Moreover, Plaintiff’s refusal to comply with the Court’s order is an abusive litigation
24 practice that has interfered with the Court’s ability to hear this case, delayed litigation, disrupted
25 the Court’s timely management of its docket, wasted judicial resources, and threatened the
26 integrity of the Court’s orders and the orderly administration of justice. Sanctions less drastic than
27 dismissal are unavailable because Plaintiff has refused to comply with the order of this Court
28 notwithstanding the warning that case-dispositive sanctions may be imposed.

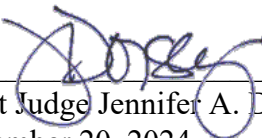
1 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
2 prejudice.

3 Dated: December 5, 2024

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5 
Nancy J. Koppe
United States Magistrate Judge

6 **Order Adopting Report and Recommendation**

7 The deadline for any party to object to this recommendation was 12/19/24, and no party
8 filed anything or asked to extend the deadline to do so. “[N]o review is required of a magistrate
9 judge’s report and recommendation unless objections are filed.” *United States v. Reyna-Tapia*,
10 328 F.3d 1114, 1121 (9th Cir. 2003). Having reviewed the report and recommendation, I find
11 good cause to adopt it, and I do. IT IS THEREFORE ORDERED that the Magistrate Judge’s
12 Report and Recommendation [ECF No. 10] is **ADOPTED in its entirety. This case is**
13 **DISMISSED without prejudice, and the Clerk of Court is directed to CLOSE it.**

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16 U.S. District Judge Jennifer A. Dorsey
17 Dated: December 20, 2024
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